

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Case No.: 3:21-cv-00003-ART-CSD

Order

Re: ECF No. 18

TACUMA J. MWANZA,

Plaintiff

v.

OSBORNE, et al.,

Defendants

Before the court is Plaintiff's motion to substitute in Deputy Jake Ambrose for the John Doe deputy named in Claim 1 of Plaintiff's first amended complaint (FAC). (ECF No. 18.)

Defendants do not oppose Plaintiff's motion. (ECF No. 19.)

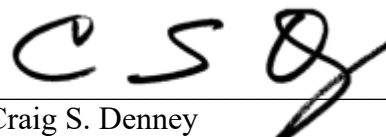
The court screened Plaintiff's FAC and allowed him to proceed with a Fourteenth Amendment excessive force claim against Osborne and a John Doe deputy in Claim 1, as well as a procedural due process claim against Rangle, Barrett, and Rice in Claim 2. All other claims and defendants were dismissed. (ECF No. 9.) Plaintiff now seeks to substitute Jake Ambrose for the John Doe deputy named in Claim 1.

Plaintiff's motion (ECF No. 18) is **GRANTED** insofar as Plaintiff is granted leave to file a second amended complaint (SAC) that substitutes Jake Ambrose for the John Doe Deputy in Claim 1. Plaintiff has up to and including **July 21, 2022**, to file his SAC. The SAC must be complete in and of itself without referring or incorporating by reference any previous complaint. Plaintiff may only include the claims and defendants that were allowed to proceed in the order screening the FAC (with the addition of Ambrose in place of the John Doe deputy). Plaintiff may not include any allegations, parties or claims that were previously dismissed. Any allegations,

1 parties, or requests for relief from a prior complaint (that *were* allowed to proceed) that are not
2 carried forwarded in the amended complaint will no longer be before the court. Plaintiff shall
3 check the box for the second amended complaint on the court's form civil rights complaint. If
4 Plaintiff fails to timely file the SAC, the action will proceed as set forth in the order screening
5 the FAC.

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7 **IT IS SO ORDERED.**

8 Dated: June 30, 2022

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12 Craig S. Denney
13 United States Magistrate Judge
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